

REMARKS

Claims 1 to 20 are pending in this application. Claims 17 and 18 were previously withdrawn from consideration. The remaining claims are subject to restriction. None have been allowed.

At the top of page 2 of the Action, the Examiner sets a 2<sup>nd</sup> Restriction Requirement and identifies the following inventions:

Group IA. Claims 1-16 and 19-20, drawn to a non-heteroaromatic compounds Formula I or Formula II.

Group IB. Claims 1-5, 8, 10-13, 15 and 19-20, drawn to a heteroaromatic compounds Formula I or Formula II.

Group II (previously withdrawn). Claims 17-18 methods of treatment

At this time applicants elect Group IA, with partial traverse. As noted by the Examiner:

37 CFR 1.475 states that a national stage application containing claims to different categories of invention will be considered to have unity of invention if the claims drawn only to one of the following combination of categories:

- a. a product and a process specially adapted for the manufacture of said product; or
- b. a product and a process of use of said product; or
- c. a product, a process specially adapted for the manufacture of the said product, and a use of the said product; or
- d. a process and an apparatus or means specially designed for carrying out the said process; or
- e. a product, a process specially adapted for the manufacture of the said product, and an apparatus or means specially designed for carrying out the said process.

Applicants respectfully submit that the present situation fits into category b. (i.e. process of use = method of use). And claims 17 and 18 are directed to methods of using the product. Accordingly, Applicants respectfully submit that once allowable compounds of

Group I are identified, method claims 17 and 18 should be re-joined to the extent that they are directed to the use of allowable compounds or pharmaceutical compositions of Group IA.

For completeness, applicants observe that the Examiner has not required an election of species with regard to the elected Group.

Having addressed the outstanding issues, Applicants respectfully request early examination and allowance of the claims. The Examiner is invited to contact the undersigned attorney at the telephone number provided below if such would advance the prosecution of this application.

Respectfully submitted,

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